

**RESOLUTION No. R-11-2011**

**A RESOLUTION OF THE TOWN COUNCIL OF KENSINGTON EXPRESSING  
CONTINUED SUPPORT OF THE MONTGOMERY COUNTY PLANNING BOARD  
PROPOSED AMENDMENTS TO THE CR ZONE AND OBJECTING TO PHED  
COMMITTEE SUGGESTED CHANGES THERETO**

**Whereas**, the Commercial/Residential ("CR") Zone has been adopted by the Montgomery County Council and this zone has been approved for the Kensington Sector Plan; and

**Whereas**, the Mayor and Council determined that the standard CR Zone, which was intended to apply to a number of pending area plans including Takoma Park/Langley and Wheaton, is not sufficiently adapted for the Town of Kensington and they have suggested amendments thereto to the Maryland-National Capital Park and Planning Commission staff ("Planning Staff") and the Montgomery County Planning Board ("Planning Board") as well as to the County Council; and

**Whereas**, in December, 2010 the Planning Board transmitted a CR Zone Text Amendment ("ZTA") to the County Council which would apply to the Town; and

**Whereas**, after discussion with County Council members, it was agreed that Planning Staff would attempt to develop the ZTA language further; and

**Whereas**, in response, Planning Staff proposed two new CR Zone contexts, which are the CR Neighborhood (CRN") and CR Town ("CRT"), while maintaining the current CR Zone; and and this proposal was approved by the Planning Board, and was then transmitted to the County Council; and

**Whereas**, the CRT and CRN Zone proposals were drafted to further support the Town's previously adopted priorities of mandatory Design Guidelines, optional building lot termination ("BLT") easements, a parking lot district or shared parking program established by municipal resolution and certain designated incentive density public benefit categories, and also proposed increased minimum parking requirements and reducing incentive points for service by MARC, and a public benefits system based on points which also requires that benefits be provided from more categories; and

**Whereas**, the Council determined in Resolution R-02-2011 to support the transmission of the of the ZTA by the Planning Board to the County Council; and

**Whereas**, the County Council referred the Zoning Text Amendment to the Planning, Housing and Economic Development ("PHED") Committee for review and comment; and

**Whereas**, the PHED Committee has made various recommendations to change the Zoning Text Amendment proposed by the Planning Board; and

**Whereas**, the Planning Board and Staff's ZTA proposal is the byproduct of over a year of work with multiple communities, public meetings, hearings, committee meetings and stakeholder buy-in, provides more affordable public options and is easier to understand and implement; and

**Whereas**, the Mayor and Council have received comment from the Town's Revitalization Committee that it supports the Planning Board/Staff version of the ZTA; and

**Whereas**, the Mayor and Council have determined that the Town should continue to support the Planning Board ZTA recommendation, and to oppose any proposed changes by the PHED Committee.

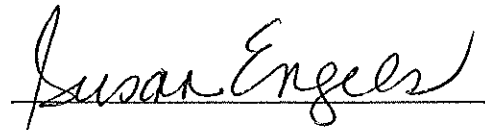
**Now Therefore Be It Resolved** that the Council of the Town of Kensington continues to support the Planning Board's recommendations with respect to the Zoning Text Amendment and opposes the proposed changes by the PHED Committee.

**Adopted** by the Town of Kensington Council, in public meeting assembled, this 12th day of September, 2011.

A handwritten signature in black ink, appearing to read "P. Fosselman", written over a horizontal line.

Peter Fosselman, Mayor

**This to certify** that the foregoing Resolution was adopted by the Town Council in public meeting assembled on the 12th day of September, 2011.

A handwritten signature in black ink, appearing to read "Susan Engels", written over a horizontal line.

Susan Engels, Clerk-Treasurer